

REMARKS

Claims 1-36 were pending at the time of the Office Action. Claims 1-11, 16-29 and 34-36 have been withdrawn. In this Amendment, claim 12 has been amended to clarify subject matter thereof. Support is found in, FIG. 5 and corresponding descriptions of the application-as-published, US 2004/0086155. Care has been exercised not to introduce new matter. Claims 1-36 are currently pending for examination, of which claims 12 and 30 are independent.

OBJECTION TO DRAWINGS

The drawings were objected to under 37 CFR 1.83(a), because the preparation of first and second plate image inspection RIP data and the comparison of the data is not shown in the figures.

It is respectfully submitted that FIG. 5 illustrates preparation of first and second plate image inspection RIP data and the comparison of the data as recited in claim 12. The first RIP data RIPD2 and the second RIP data RIPD3 are prepared by executing RIP processing on the first print image data PD2 and the second print image data PD3 respectively. (S12, S13) The first plate-image-inspection RIP data CD2 and the second plate-image-inspection RIP data CD3 are prepared by converting the first RIP data RIPD2 and the second RIP data RIPD3.(366) The first and second plate-image-inspection RIP data CD2, CD3 are compared to detect difference between the first and second print image data. (364)

Therefore, withdrawal of the objection is respectfully requested.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 101

Claims 12-15 were rejected under 35 U.S.C. § 101 as not falling within one of the four statutory categories of invention.

Independent claim 12 has been amended to add “carried out by a processor” to each step to clarify each step carried out by a processor. The processor to perform steps of preparing RIP data and plate-image-inspection RIP data and comparing the first and second plate-image-inspection RIP data falls into classes (article or machine) of statutory subject matter product and should be free of issue of the rejection under 35 U.S.C. §101. The “method of inspecting a print image that is sequentially being processed in a printing prepress system” in claim 12 is tied to the “processor” to perform steps of preparing RIP data and plate-image-inspection RIP data and comparing the first and second plate-image-inspection RIP data. Because the claimed subject matter in claims 12-15 is tied to a particular machine (a processor), the subject matter in those claims 12-15 should be patent eligible subject matter. *In re Bilski*, Case No. 07-1130 (Fed. Cir., 2008)

REJECTION OF CLAIMS UNDER 35 U.S.C. § 112

Claims 12-15 and 30-33 were rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

It is respectfully submitted that the claimed subject matter in claims 12-15 and 30-33 is fully described in FIG. 5 and paragraphs [0109]-[0113]. The first RIP data RIPD2 and the second RIP data RIPD3 are prepared by executing RIP processing on the first print image data PD2 and the second print image data PD3 respectively. (S12, S13) The first plate-image-inspection RIP data CD2 and the second plate-image-inspection RIP data CD3 are prepared by converting the first RIP data RIPD2 and the second RIP data RIPD3.(366) The first and second plate-image-inspection RIP data CD2, CD3 are compared to detect difference between the first and second print image data. (364)

In view of above remarks, the rejection is respectfully traversed.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 103

Claims 12 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsuya et al. (Japanese Abstract and machine translation of Publication No. 10-154234, hereinafter “Katsuya”) in view of Date et al. (U.S. Patent No. 5,473,748, hereinafter “Date”) or Kitamura et al. (U.S. Patent No. 5,418,894, hereinafter “Kitamura”). Claims 12-13 and 30-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsuya in view of Date or Kitamura, as applied to claims 12 and 30, in view of Nahum (U.S. Publication Application No. 2003/0026457, hereinafter “Nahum”). Claims 14-15 and 32-33 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Katsuya in view of Date or Kitamura, as applied to claims 12 and 30, in view of Nakagawa et al., (U.S. Patent No. 5,969,798, hereinafter “Nakagawa”). The rejections are respectfully traversed for the following reasons.

Proposed combination of Katsuya, Date, Kitamura, Nahum and Nakagawa fails to disclose limitations of claims 12 and 30 regarding “preparing a second RIP data by executing RIP processing, in accordance with **second RIP processing conditions that differ from the first RIP processing conditions**, on a second print image data obtained by carrying out another preprocess processing to the first print image data.”

Katsuya obtains raster type data in the second proofreading using the same RIP conditions as those in the first proofreading, because Katsuya purports to check whether or not the correction demand from a client is correctly reflected in the latest version of the raster type data. Katsuya compares the latest version of the raster type data with the second latest version of the raster type data by performing the RIP processing under the same RIP conditions. (See Katsuya’s Abstract and paragraphs [0002]-[0003]) In contrast, claims 12 and 30 require “a

second RIP data by executing RIP processing” to be prepared “in accordance with **second RIP processing conditions that differ from the first RIP processing conditions**, on a second print image data obtained by carrying out another prepress processing to the first print image data.”

In addition, Date and Kitamura which are cited for adding ornamental effects, Nahum, which is cited for converting images to a standard resolution, and Nakagawa, which is cited for the plate inspection system, fail to cure deficiencies of Katsuya.

Since the combination of Katsuya, Date, Kitamura, Nahum and Nakagawa fails to satisfy requirement of independent claims 12 and 30, claims 12 and 30 and claims dependent thereupon are patentable over the combination of Katsuya, Date, Kitamura, Nahum and Nakagawa.

Conclusion

In view of the above amendments and remarks, Applicants submit that this application should be allowed and the case passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper,

Application No.: 10/692,746

including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP



Hosang Lee

Registration No. L00,295

600 13th Street, N.W.
Washington, DC 20005-3096
Phone: 202.756.8000 HL:ldw
Facsimile: 202.756.8087
Date: November 25, 2009

**Please recognize our Customer No. 20277
as our correspondence address.**